



TO THE
Right Honourable,
THE
PARLIAMENT
OF
ENGLAND.

Right Honorable,

I Once more in the name of the most high God beseech you, to remove the old Earth, and set up the new, as God hath ordained, by setting up the Government among us, with the Laws, the Statutes, and Judgements of God contained in the Word; it being the alone foundation on which God will establish the Nations which he hath now shaken, and is about to shake; when things shaken shall be removed, that his Law and Rule which cannot be shaken may remain. Right Honorable, this only work saves the Nation from ruine, and presently possesseth this people of unspeakable happinesse, and puts an end to our Nationall differences with God, and those among our selves, and will make your memory precious to the Ages and Generations to come, and acquit you of your souls Vows to God; which tender I therefore renew, and humbly lay before you, because Mr. R. Vaughan hath put up his Plea before you, for and in defence of that we call the Common Law; whereunto I return him the ensuing Answer, beseeching you to judge between us, and that a liberty be granted to God, his Law and Cause to be pleaded before you at your Barr, against all humane Laws that stand in competition with it, that when you come to stand before his Bar, you may have his Law speak for you, and not against you in that day, which is the unfained desire of

Your affectionate servant in the witness of the Lords truth,

JOHN BRAYNE.



To Mr. R. Vaughan of Grayes Inne.

Sir,

THe ingenuouſneſſe of your appeal to the Magiſtrate, in your Answer to Mr. *Peters* Propoſalls, concerning the Law and its Reformation, occaſioned theſe indigeſted lines, to let you know it is the cauſe of God, and to be deduced from the Word, by which the Teachers thereof are chiefly in the way of advice concerned therein, and Mr. *Peters* or my ſelfe come rightly to take cognizance thereof, equally with you, if not before you: Sir, the Lawyers of old addreſſed themſelves to the Divine Law of God, you to the humane Law of Heathens, which is too low to be pleaded for in theſe daies of light and profeſſion; eſpecially before the High Court of Parliament, who are bound to God to reforme things according to the *Magna-Charia* of God, and not of men; your Law is grounded only on the corrupted reaſon and judgements of rude men, this on the Will, Juſtice, and Holineſſe of God, the juſt meaſure and true tryall of actions, ſo that thoſe that judge by the one, and have the other, are lyable to the Judgement thereof, and thoſe onely that judge by it, free their ſouls from guilt and puniſhment: Sir, in your Epistle to the Parliament, the greateſt happineſſe you wiſh the Nation, is the continuance of the Common Law; is this wiſh of yours for your own Inter-eſt, or purely for the good of the Nation, if for the Nation, Sir think again, whether the Common-weal would be more happy in the Law of God, or in yours, it having ſo many precious promiſes of all temporall good, and deliverance from temporall evill, together with the proteſtion of the Almighty God, which your Law hath nothing to do withall, but deprives the people thereof, and all elſe that can be called a peoples happineſſe: and for the lopping of the Law, you will find it is but loſt labour, God hath laid the Axe to the root thereof, as being corrupt therein, as well as in the branches, and the Scripture tells you, *That every plant which the Father hath not planted, ſhall be pulled up*, which the Lawes and Governments of men are. Alas Sir! what is it to compare your Lawes with thoſe of other Nations, to keep them up, and to paſſe by the Divine Law of God, as if there were no ſuch thing in being; to the Law therefore, and the teſtimouy that will deſtroy and condemne your Law, and it's Rule, your Law you ſay was not the Conquerors Dictate, yet it was the Dictate of corrupt men, and that it was not *Lex Scripta*, which was it's want and weakneſſe; the Morall Law of God was written with
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his owne finger; your Law is a Law on wheels, uncertaine and changeable, which you terme reason and conveniency, which are infinitely short of the grounds of the Divine Law, to which every soule must submit to every tittle, or be damned, but not so to yours, your Law you say hath lost it's Face, it may be you mean it's Head, which Gods Law hath not, nor can it for ever; your Law, as other Popish trumpery, you say, is baptized with the name of the Common Law, this is owned for the Divine Law of God, whose Image and superscription of Holinesse and Justice is ingravened thereon, and at last shall judge Law, Lawyers, and all men else; your Law is but almost a comprehensive Rule and measure (as you say) but Gods altogether; Gods is the Rule and Measure, yours nor rule nor measure, for as he is one, so with him is but one Law which is his own; and for what the former Parliament affirmed concernes not this, whose soules are under a Vow to God, to reform this State according to the Word, by which only is to be produced the Nations Freedome, and the Peoples happinesse, though it be granted that your Law hath the likenesse of gold in it, yet it is not Gold as the Law of God is, nor will it bear the purifying once alone, much lesse seven times seven, but like drosse it consumes before the fire comes near it, of which, you have not feared to say as much as God hath said for his own eternall truth, without any ground or warrant; which as fire will speedily devour the drosse, and corruption of the Nations their Laws and Governments.

For your Epistle to Mr. Peters, I doubt not but he will sufficiently returne you a seasonable answer to it, onely in generall I observe you in your expressions to be extremely differing from your selfe, and him, one whiles as with kisses you speak him fair, and anone as a foe you use contumelies and debasements, as of one illiterate, rude, irrationall, prejudicate in his Opinion, and rash in judgement, which I only mention to prevent offences between you for the future, being men have ingaged, (as you say) in the same cause, which proves offensive to your selfe and others, being in your writings but as unfavoury salt.

Sir, For the retreat of all good things it is to God, his power, safety, and being, whence things that are good and just did proceed: now if God protects yours, he must decline his owne, if he protect his owne, he must destroy yours, for there can be no more two Lawes with God, then two Gods; yours therefore cannot retreat to this safety, because it is none of his, but as Moses Serpent eat up the Sorcerers, so will Gods Law eat up yours; for as there is but one God, so there is but one authorized Law of his, his came out from him, yours from men like your selfe, which bears their superscription, and hath their Image of lightnesse, corruption and vanity ingraven on it.

In your Introduction.

You condemn the peoples lightnesse in too soon believing and being lead

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of

of men, which is truth; they looking to customs and antiquity, to the neglecting of Gods truth and verity, the traditions of men having for a long time made void the Laws of God: Sir, you say what Mr. Peters wrote was as the *Tobu vabohu* in the Creation, which yet did appertain to the Creation of God, and God gave being to that, but not to your Law, which is part of the old earth that is shortly to be removed, *Rev. 21.1*. And whereas you say, the plain honest man knows not the Law, I think it's clear, nor you, nor those that have studied them longest know them not, nor is there any Priviledge to the Nation by them, but is that thing this day stands between them & their Priviledges, which is the divine Law and Communion with their God, mens being in place thereof, your Laws, Foundations, and Institutions, had their being from the corrupted reason of the Heathen, which you say is not inconsistent with right reason and Scripture, whose proceedings, Laws and punishment infinitely differ from that commanded of God, which being proved by your most ingenuous Confession; and as you say by the judgement of all Lawyers, is to be cullee'd out of their very countenance as an excrementitious thing, obsolet and uselesse, to hear which from your self, makes me admire & wonder at the progresse truth hath made among men, which I hope Sir was no rude nor sudden conception in you, but the best, which like a good Orator at last you offer at the feet of Authority, as the thing that is most worthy to be taken up and judged by them, and as the only cause of God and the Nation your writing to Mr. Peters *Legentem oportet credere*, hath joyned with it very amphibologicall termes, where you charge him with this fault, that he hints little of Scripture: I hope the motion for a Government and Law that is altogether contained therein, will find a placid acceptation with you, and all love God in truth, which are not *placita principum*, nor *clericorum* neither, your preferring your Law before all Law in the world, is very unjustifiable, whiles the Law of God remains therein, whose descent is from God and heaven, and not from men and earth as yours is; and as for the continuance of your Law, you know that the Kingdome of God by the Kings of the world, and the Church by the power of Antichrist have of a long time lain desolate, your self acknowledge your law to be chaffey, who yet seeth not as God sees what is chaff therein, you desire to have the corruption of the Law to be destroy'd, in whose very foundation the pure eyes of the righteous God seeth nothing else but corruption it self, which God in the fire of his Zeal will consume and destroy, your presumption of Mr. Peters is *viz.* that if he were acquainted with your Law and it's principles, &c. the best whereof are but reason and experiences, which he is capable of as other men, but of the worst thereof, he and my self are ignorant and all; except the men that profess it, to whom for my part I leave them, as that that hath not long to live; and to say in this, Mr. Peters medled out of his calling, being a Law Witnesse. (1.) If any have a call, he hath one to do what he did. (2.) I know not that God made it a call or trading to plead his Law, every man being to be a Lawyer, and to know that Law, by which he was to live, and in case of offence to be judged by it, who from their infancy were to be brought up in the knowledge of it, so that you can never
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prove that the disposition and steerage of affections; makes a sufficient call in an unwarrantable practise: and if the Law, as you say, be a common Birth-right, any man in desiring the best Law, cannot be said to be abroad, and not at home, you say, *facile est inueniri addere*, which proves your Laws imperfection, and the perfection of Gods is proved in this, that nothing is to be added therunto; the good, if any be in yours, is swallowed up in this, because it is far better; and by this you see it is not warrantable to offer any thing that is new, but what only is in the Word; and whereas you, because a Professor will not plead for your own Law, I therefore because I profess this plead for it, which should I not do, were in some kind to deny it, and betray it, which I fear to do, and whereas you will sit under the sentence of men, you and I must dwell and lie for ever under the Majesty and the sentence of the Law and Judgement of God, and cannot avoid it; and it is easier to kick against the pricks, then to oppose in word or writing against the Royall Law of the eternall and mighty God, the wounds of conscience being most unsufferable to a creature.

In your answer to his Proposals, you say, he hath spoke all and more then he knows, which is very much to be done in so few words and little paper, yet indeed a man in a little that is not good, may know so much, that he desires to know no more: now that there were Registers or Scribes belonging to every place of Judicature in the Jews Republike is clear, which I think Mr. Peters means, whose book I have not read, in which place of Judicature sat daily two Judges, to expedite Justice, and avoid delays of causes, which Judges were chosen by the people by many notes of integrity, which people had first covenanted with God in the way of the Law, the Judges Power under God was not arbitrary, but confined to the revealed Law of God, from which they were not to decline, either to the right hand, or to the left, from whom in clear cases was no appeal; and with Mr. Peters I say, the happinesse of Government lieth not in humane Laws, as we see by experience, but good men, when they see to the executing of them: And with your self there must be good Laws (*viz.* Gods,) or good men in Authority will do but little good, when good men live under the command of them, as well to execute it's punishments, as to do it's other Injunctions.

To P. 6. When this Republike is made agreeable to that of the Jews, which I am bold to say, will be not only entailed, but the bottom and being of things will most certainly be strangely altered, changed, or removed; and it is the will of God, that the first born, whether Male or Female, should have a double portion.

P. 7. You allow that the Moralls and Judicials of Moses are the best Laws, yea, you say all honest and just Lawyers concur therein, and it were very strange if they should not, the act it self of denying it were to make them dishonest and unjust both, but if so, what weaknesse is it in the people, yea, what wickednesse to refuse that, for any other whatsoever, it being a strange exorbitancy, for men to live by Gods Law, and be judged by mans, which is against God, his Law, and People diversly.

But

But say you there is not an expresse rule in the Moralls and Judicials of *Moses*, for every particular occurring contingent case that happens.

1. Which to affirm, is to destroy the glory and perfection of the Word of God, and to question and dispute his wildome, who would rule by an insufficient Law over men.

2. The prohibition of not adding nor diminishing, had been but the peoples straightning and destroying of their well-being, and God would have given them liberty in this, as any other thing, if it had been necessary for them.

3. The Jews were as numerous as this people were, and as corrupt as others, so that that which was made to serve them well, as well serve this Republike, or any else, for the Law was indefinitely made for all offenders, as *1 Tim. 1. 9. 10.*

4. The vast capacity of the Law is not known to us, because not looked into, which appears in Gods binding men only thereunto.

5. Let but the Nation be set in the Jews Common weal form, and I doubt not but by the assistance of God, to shew how any usuall cause may be judged, that can arise in difference between man and man, and most such also as are unusuall, most certain it is, all are in a more just way decided there, then in all the Laws of the world they are or can be.

P. 8. You distinguish between politike reason and it's Laws, and naturall reason and it's.

Question may be where without an Injunction Royal of God, reason hath the force of a Law, among the people that have the Law of God by them, who thereby are not left to reason, God saying of men having their own Laws only, that they were without Law:

P. 9. You plead for the being of Lawyers, which indeed every man should be, and were of old, that could read and expound the Divine Law, but that any pleaded it before the Judges, or that had fees for so doing, and made a profession of it, as now, is not expressed in the Word, nor was it so among our selves, by the first Advocates of your own Law.

P. 10. That we have need of a Law is most certain, and as certain it is, that we need no other but the Law of God; by vvhich nor Lavvyers nor Judges can do Injustice.

And for vvills and Testaments, if men dispose of their estates according to God, they are uselesse, the eldest being to have double, and the rest an equal portion, the widdow first provided for, for which dividers were by authority appointed to make a speedy division, and so all needlesse suits of Law prevented, and causes of complaint and envy most vviseely abolished, by the direction of the most just God, & that unjust making one rich and proud, & all the other poor, though such oftentimes as vvvere far better then the Heir before God, comes by this distribution to be annihilated to the common good, and benefit of all the other issue of men in the Nation, and the good of love and unity continued hereby among brethren.

P. 11. 12. For the Records this: if this Nation ever receive the Rule of God, and his Lavvs to be governed by them, men vvill see there is no need of preserving them: The age now in being vvill do by them, ruling by Gods Law, as those vvith their books of curious Arts ruled by the Gospell, *Acts 19. 19.*

P. 13. 14.

P. 13. 14. As for imprisonments, I beseech you see the freedom of the Government of God; by which Law none was to be imprisoned longer then the time of the determining of his cause, which was immediately to be heard and decided, if the case appeared clear.

P. 16. What is spoken of taking away the gray-headed errors of the Law, and it's exuberances, that they may be expunged; time will tel you and it will give most true. that you will begin to purge the Law, untill you have purged Law and all away; and it is most certain, the Law never in all the ages it, ever run in, met with such like contingencies as at this day it hath, and every day it is like to do.

P. 17. The Law and Justice of God is above all men, because not made by men, but it is not so in humane Laws and Rule, because they make their Laws as God made his; and truly whiles one place hath more priviledges then another, it appears not to me how there can be a Common-weal.

Thy the Law of God, in Cities, or other eminent places, there were to be Judges, to see Justice done to the people, is clear, and that in difficult cases, some of the most eminently gifted of the Nation, were appointed to be consulted with by the Judges that understood them not, by which Justice ran like a streame by every mans door, vvhhen Tryalls vvere to be decided every day, not every half a year, and so the cause of imprisonment prevented, and vvhereas you say, *frustra fit per plura quod fieri potest per pauciora*, it holds true indeed; for if the Law of God be sufficient to rule a people, vvhath need is there of mans.

P. 19. Is spoken of Ministers proposing for themselves, I hope if men seek the advance of Gods Law and Rule, they propose not for themselves, but God, vvhich all ought to do, and to deny themselves if they vwill follow Christ! O how much better is it to consult with the Law and Testimony, then with flesh and bloud, men and learning, reason and experiences.

P. 20. That the Testimony of Witnesses in Judicature, was to be given by Oath, is apparent in Scripture, and is part of the Divine Law and worship of God, so that men ought not to come against their neighbor, but in this way, *viva voce*.

As for the punishment of Witnesses and Judges that are corrupt, it is expressly set down in Scripture, and provision made to prevent it, or to find it out.

P. 22. The Law of the Land sets down punishments, for offences committed against the Light of Nature, but the question is,

1. Where the punishments are agreeable to the nature of the offence, if not, how then can they be just.

2. If agreeable to the Word, if not, how can it be warrantable to put them in execution.

As for pardoning of offenders, if men assent to the Divine Law, and covenant with God to observe it, and after break the same.

1. They are then under the Law, and by the Law either they ought to live or die.

2. To save any, the Law condemns, is not in mans power, who is made under

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under the Law, and not over it, who are not to dispense with it's com-
mands in any kind, he being to be a doer, and not a Judge of the Law,
James 4. 11. Luke 19. 27. concernes the age we live in more then an,
in which the end of such as reject the Dominion of Christ is held forth
us, that we draw not destruction on our selves and ours.

Sir,

SEt up the Standard of reason, experience, equity,
policy, profit, &c.

And put in into one scale the Law of God, and
in the other your humane Law, purified, lopped, and
amended, and I'll tell you, yea God himself, Angells
and Saints shall witness it, it will be lesse then nothing
to it, and lighter then vanity.

Sir, I have written this only to discharge my con-
science herein, and that I may prevent my destruction
from God, which for my silence would seize on me;
I yet now look for ruine on my self and Family, for
witnessing to the Truth of God from the world, so
that a woe is to me if I witness not to the Truth, and
woe is to me if I witness to it my unworthinesse, to
hold forth the truth, only wounds me, which the Lord
pardon, and you and the world passe by, and I shall be
a debter to you, and all, being worse then the worst of
men, and an unworthy Witness of the Truth of the
great God;

John Brayne.

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